

09/29/03  
18304 U.S. PTO

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No. <b>460.1882USQ3</b>	
Anticipated Classification of this Application	
Class:	Subclass:
Prior Application: <b>10/437,413</b> filed <b>May 13, 2003</b>	
Examiner:	Art Unit:

22154 U.S. PTO  
10/674284  
09/29/03

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a request for filing a \_\_\_\_ continuation-in-part **X** continuation \_\_\_\_ divisional application under 37 CFR 1.53(b), of pending prior application, U.S. Serial No. **10/437,413** filed on **May 13, 2003** of **Joshua S. Lieberman, Frank Manganiello and Michael Maloney** for **FLOW CONTROL ELEMENT FOR USE WITH LEAK-PROOF CUP ASSEMBLIES.**

The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$750.00
TOTAL CLAIMS	79 - 20 =	59	x \$18.00	\$1,062.00
INDEPENDENT CLAIMS	5 - 3 =	2	x \$84.00	\$168.00
MULTIPLE DEPENDENT CLAIM FEE			x \$280.00 = \$0	
TOTAL FILING FEE			\$1,980.00	
1/2 FILING FEE FOR SMALL ENTITY			\$0	

1. **XXX** No fee enclosed – filing by missing parts.
2. \_\_\_\_ Cancel in this application original claim(s) \_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
3. \_\_\_\_ A new oath or declaration, new formal drawings and an affidavit or declaration verifying it as a true copy is enclosed.
4. **XXX** Notice of Substitute Specification Pursuant to 37 CFR §§ 1.53(b) and 1.125;
5. \_\_\_\_ Amend the specification by inserting before the first line the sentence: This is a \_\_\_\_ continuation, \_\_\_\_ division, of application serial no. \_\_\_\_, filed \_\_\_\_.
6. **XXX** The prior application is assigned of record to: Playtex Products, Inc.
7. \_\_\_\_ The power of attorney in the prior application is to: Charles N.J. Ruggiero
  - a. The power appears in the original papers in the prior application.

b. Address all future communications to :

CHARLES N.J. RUGGIERO, ESQ.  
OHLANDT, GREELEY, RUGGIERO & PERLE, L.L.P.  
ONE LANDMARK SQUARE, 10<sup>th</sup> FLOOR  
STAMFORD, CONNECTICUT 06901-2682  
TELEPHONE: (203) 327-4500  
TELEFAX: (203) 327-6401

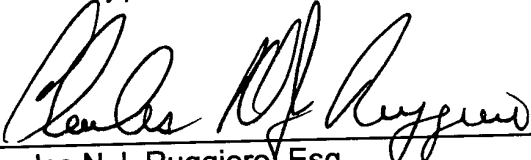
8. \_\_\_\_ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

9. XXX This application is a continuation of copending U.S. Application Serial No. 10/437,413 filed on May 13, 2003, which is a continuation-in-part application of U.S. Application Serial No. 10/155,636 filed on May 23, 2002, which is a continuation of U.S. Application Serial No. 09/645,975 filed on February 4, 2000, now U.S. Patent No. 6,422,415, which is a continuation of U.S. Application Serial No. 09/019,765 filed on February 6, 1998, now U.S. Patent No. 6,050,445, the disclosures of which are incorporated in their entirety herein by reference and is claimed under 35 U.S.C. §120;

10. \_\_\_\_ I hereby verify that the attached papers are a true copy of prior application serial no. \_\_\_\_ as originally filed on \_\_\_\_.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

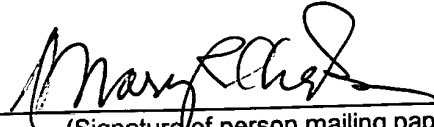
September 29, 2003  
(Date)

  
Charles N.J. Ruggiero, Esq.  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
Reg. No. 28,468  
Telephone: (203) 327-4500  
Telefax: (203) 327-6401

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV 357653127 US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **September 29, 2003**.

Mary R. Charles  
(Typed name of person mailing paper)

  
(Signature of person mailing paper)